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By: **Delegate Jones**

Introduced and read first time: January 24, 2003

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Social Security Numbers - Mandatory Inclusion on Marriage and**  
3                                   **Recreational License Applications**

4 FOR the purpose of requiring a person applying for a marriage license to provide the  
5 Social Security numbers of both parties to be married; requiring placement of  
6 the Social Security numbers in a specified electronic file and prohibiting  
7 placement in a public record; authorizing disclosure of the Social Security  
8 numbers to the Child Support Enforcement Administration; repealing  
9 provisions pertaining to voluntary disclosure of Social Security numbers on  
10 marriage license applications; requiring a person applying for an angler's  
11 license to provide the person's Social Security number; making this Act an  
12 emergency measure; and generally relating to Social Security numbers on  
13 certain applications.

14 BY repealing and reenacting, with amendments,  
15 Article - Family Law  
16 Section 2-402 and 2-403(a)  
17 Annotated Code of Maryland  
18 (1999 Replacement Volume and 2002 Supplement)

19 BY repealing and reenacting, without amendments,  
20 Article - Natural Resources  
21 Section 4-604(e)  
22 Annotated Code of Maryland  
23 (2000 Replacement Volume and 2002 Supplement)

24 BY repealing and reenacting, with amendments,  
25 Article - Natural Resources  
26 Section 4-604(f)  
27 Annotated Code of Maryland  
28 (2000 Replacement Volume and 2002 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Family Law**

4 2-402.

5 (a) An applicant for a license may apply to the clerk only at the office of the  
6 clerk during regular office hours.

7 (b) Except as provided in subsections (d) and (e) of this section, to apply for a  
8 license, 1 of the parties to be married shall:

9 (1) appear before the clerk and give, under oath, the following  
10 information, which shall be placed on an application form by the clerk:

11 (i) the full name of each party;

12 (ii) the place of residence of each party;

13 (iii) the age of each party;

14 (iv) whether the parties are related by blood or marriage and, if so,  
15 in which degree of relationship;

16 (v) the marital status of each party; and

17 (vi) whether either party was married previously, and the date and  
18 place of each death or judicial determination that ended any former marriage; [and]

19 (2) sign the application form; AND

20 (3) PROVIDE THE CLERK WITH THE SOCIAL SECURITY NUMBER OF EACH  
21 PARTY.

22 (c) [(1) The license application shall provide spaces for the voluntary  
23 disclosure of the Social Security numbers of the parties.

24 (2) The clerk shall place Social Security numbers that are disclosed  
25 under this subsection on the marriage license certificate forms required under §  
26 2-403 of this subtitle.] THE SOCIAL SECURITY NUMBERS OF THE PARTIES:

27 (I) SHALL BE INCLUDED IN THE ELECTRONIC FILE FOR THE  
28 MARRIAGE LICENSE APPLICATION;

29 (II) MAY NOT BE INCLUDED AS PART OF THE PUBLIC RECORD; AND

30 (III) UPON REQUEST BY THE STATE CHILD SUPPORT ENFORCEMENT  
31 ADMINISTRATION, SHALL BE PROVIDED TO THE ADMINISTRATION.

1 (d) If the parties to be married are not residents of the county where the  
2 marriage ceremony is to be performed, the clerk shall accept, instead of the  
3 application specified in subsection (b) of this section, an affidavit from 1 of the parties  
4 to be married. The affidavit shall:

5 (1) contain the information required by subsection (b) of this section; and

6 (2) be sworn to under oath before a clerk or other comparable official in  
7 the county, state, province, or country where the party resides.

8 (e) In Cecil County both parties to be married shall appear together before the  
9 clerk to apply for a license.

10 (f) Until a license becomes effective, a clerk may not disclose the fact that an  
11 application for a license has been made except to the parent or guardian of a party to  
12 be married.

13 2-403.

14 (a) (1) A license shall read substantially as follows:

15 "State of Maryland and County of ..... To any individual authorized by the  
16 laws of this State to perform a marriage ceremony. You are hereby authorized to join  
17 together in matrimony according to the rules and ceremonies of your church, society  
18 or religious sect and the laws of this State, or according to the laws of this State, the  
19 following individuals: ..... (state here  
20 name of intended husband) ..... (state  
21 here name of intended wife) Given under my hand and seal of the Circuit Court for  
22 ....., this ..... day of ..... (state here month and year)."

23 (2) A license shall contain:

24 (i) appropriate spaces in which the clerk shall enter:

25 1. the relationship of the parties to be married, if any; AND

26 2. as to each party, the name, age, state or foreign country in  
27 which born, residence, and marital status (single, widowed, or divorced); and

28 [3. the Social Security number of each party who voluntarily  
29 discloses the number; and]

30 (ii) a statement that the license is valid only:

31 1. for 6 months from the effective date and time stated on the  
32 license; and

33 2. in the county in which it is issued.

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**Article - Natural Resources**

2 4-604.

3 (e) A person may apply for an angler's license to any person designated by the  
4 Department. The application shall be on a form the Department prepares and  
5 supplies. The applicant shall fill out, sign and submit the application to the person  
6 designated to issue an angler's license. A person may apply by mail.

7 (f) (1) The application shall contain the applicant's name, SOCIAL SECURITY  
8 NUMBER, and place of residence.

9 (2) A person may not use an assumed name or an address other than the  
10 person's legal place of residence or make any false statement to obtain an angler's  
11 license.

12 (3) Before an angler's license may be issued, the applicant for the license  
13 shall sign a statement which says:

14 "I understand that this license does not of itself permit me to fish on private  
15 property, and if I do so without permission of the owner I may be subject to a fine."

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
17 measure, is necessary for the immediate preservation of the public health or safety,  
18 has been passed by a yea and nay vote supported by three-fifths of all the members  
19 elected to each of the two Houses of the General Assembly, and shall take effect from  
20 the date it is enacted.